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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,378

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EXAMINER

CHEN, TIANJIE

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/576,378	Applicant(s) ARAKI ET AL.	
	Examiner Tianjie Chen	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Non-Final Rejection

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant admitted Prior Art (AAPA) in view of Furukawa et al (US 6,243,346) and Shinsaku et al (JP 11-031350A).

AAPA shows a disk apparatus in Figs. 11 and 12 and [0004] including:

an inherent stationary frame to be a stable portion,

a floating unit 107 which is disposed in an inherent stationary frame through elastic component and which performs recording and/or reproducing on a disk-shaped recording medium,

wherein the floating unit includes a clamping member including a clamper 105 which holds the disk-shaped recording medium, and a disk recording/reproducing-driving member 111 including a turn table 103, and

AAPA does not show the floating unit is disposed in a stationary frame through elastic component, and a part of the clamper and a part of the turn table are fitted in each other, when the disk-shaped recording medium is held between the clamper and the turn table.

Furukawa shows a floating unit is disposed in a stationary frame through elastic component 19 (Fig. 2B; column 5, lines 47-49). And Shinsaku et al shows a clamping mechanism, wherein a part of the

clamper 35 and a part of the turn table 21 are fitted in each other, when the disk-shaped recording medium is held between the clamper and the turn table (Fig. 5).

AAPA teaches that 107 is a floating unit but does not show how to float. Furukawa et al shows a floating unit, which is floating through an elastic component and it is also a notorious and old method used in the art. One of ordinary skill in the art would apply this mechanism into AAPA's device. AAPA shows a clamper but does not show the detailed structure. Shinsaku et al shows a clamper and teaches that it can be used for thinning the device (PROBLEM TO BE SOLVED section). One of ordinary skill in the art would have been motivated to apply this structure for thinning the device.

Claim 2, AAPA shows that the clamping member includes a clamper base (the leftmost portion of the clamper member in Fig. 11) which is rotatably combined to a chassis 107 in the floating unit; a clamper- holding part (the rightmost portion of the clamper member in Fig. 11) which is connected to or integrated into the clamper base through an elastic clamp arm 106; and a clamper 105 which is rotatably engaged with the clamper-holding part at and around the center of rotation of the disk-shaped recording medium.

Claim 3, Shinsaku et al shows a claw 38c of a clamper-holding part 38 is engaged with a hook 33 of the clamper inside the internal position of the center hole of the disk-shaped recording medium held between the clamper and the turn table, and wherein the clamper is fitted in a shaft portion of the turn table at its engaging position.

Claim 4, Shinsaku et al shows that a hook portion 38c is formed at the center portion of the clamper, and wherein the hook portion includes a plurality of hooks (Figs. 3 and 5) formed at regular intervals on the same circumference, and a projection which is formed on the center axis of rotation of the

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disk-shaped recording medium and which comes into contact with the clamper-holding part when the disk-shaped recording medium is held between the clamper and the turn table (Figs. 3-5).

Claim 5, Shinsaku et al shows that the turn table has a shaft portion for positioning the disk-shaped recording medium; wherein the shaft portion has an annular groove formed therein at a position which corresponds to the engaging position of the claw of the clamper-holding part with the hook of the clamper (Figs. 4 and 5); and

wherein a part of the clamper is fitted in the annular groove when the disk-shaped recording medium is held between the clamp and the turn table.

Conclusion

3. The prior art made of record in PTO-892 form and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is 571-272-7570. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tianjie Chen/
Primary Examiner, Art Unit 2627